

Boy left in home despite abuse

[Abuse, from A1]

nored. It is just inexplicable to me," said county Supervisor Zev Yaroslavsky, noting that the Sheriff's Department was also aware of the abuse allegations.

Department of Children and Family Services Director Philip Browning acknowledged in an interview that the system failed Gabriel.

The case illustrates a need for more "critical thinking and common sense" in evaluating cases, he said.

Four social workers have been placed on desk duty pending possible disciplinary action.

But Gabriel's death sent fresh shock waves through the county's child protection bureaucracy, still struggling to implement reforms after dozens of abuse and neglect deaths in recent years involving children who had been under the system's supervision.

The department has been criticized for lenient treatment of workers who fail to properly protect children in cases such as Gabriel's. One recent internal agency review found no workers had been fired in 15 instances where children died, even when their errors were deemed "egregious."

"I feel like they all should be fired," said Elizabeth Carranza, Gabriel's aunt. "They didn't listen to my nephew. They were completely deaf and blind."

Gabriel's relatives and friends have mobilized to put pressure on the department to hold workers accountable and take evidence of child abuse more seriously. Several protests have been staged, and a Facebook page has gathered over 20,000 supporters.

"We are protesting their handling of this case 300% because we want to make sure this never happens again," Carranza said.

Browning said Gabriel's case is complex and defies "simple solutions," but he encouraged people who know about child abuse to contact department managers if they encounter non-responsive workers.



RELATIVES of Gabriel Fernandez want L.A. County to take child abuse more seriously.

"If all else fails," he said, "I want them to contact me. I answer calls from foster children, staff, foster parents, anyone."

A decade ago, Gabriel's mother, Pearl Fernandez, came to the attention of county social workers when her oldest son suffered a head injury during a car accident. He was wearing no seat belt, prompting an allegation of severe neglect, according to county records.

A year later, a relative reported that Pearl beat the same son and did not want him, but social workers decided the complaint was unfounded.

Gabriel was born in 2005 and went to live with relatives soon thereafter. He had little interaction with his mother for years, relatives said, and the two barely acknowledged each other at family gatherings.

Pearl later told social workers that she had a history of gang involvement, drug use and mental health problems.

In 2007, social workers received a complaint that Pearl did not feed one of her daughters and threatened to break her jaw when she cried.

The following year, Pearl was convicted of using a weapon in a reckless manner in Texas and was sentenced to two weeks behind bars,



IRFAN KHAN Los Angeles Times

ISAURO AGUIRRE, Gabriel's mother's boyfriend, allegedly told authorities he beat the boy for lying.



IRFAN KHAN Los Angeles Times

PEARL FERNANDEZ, Gabriel's mother, and Aguirre have been charged with murder and torture.

'I feel like they all should be fired. They didn't listen to my nephew. They were completely deaf and blind.'

— ELIZABETH CARRANZA, Gabriel's aunt, on the social workers in the case

according to court records.

In October, relatives said Pearl suddenly reclaimed Gabriel and two siblings from her parents. Emily Carranza, Gabriel's cousin, alleged "it was for the welfare money." Pearl told social workers she was concerned about the treatment of her son by relatives.

Within days, a call came to the child abuse hotline alleging that she was physically abusing the children. Social workers substantiated neglect but allowed her to keep her children and enter counseling.

Another call in October from Gabriel's teacher said he was bruised on his face and hands and the boy reported he was hit with a belt buckle that caused bleeding.

The following month, the teacher said he had scratches and a "busted lip," which the boy attributed to being

punched by his mother, records show.

In January, the teacher said his face was swollen and he had bruised dots all over his face. She said Gabriel told her his mother shot him in the face with a BB gun, according to county records.

At one point, his mother sent Gabriel to school in girl's clothing to humiliate him, relatives said.

During the investigations, Gabriel often recanted his stories of abuse. An internal county review criticized social workers for failing to interview Gabriel in a neutral setting away from his mother.

In March, Gabriel's therapist called 911 after discovering a suicide note by Gabriel. Authorities dismissed the complaint without removing him or hospitalizing him because he had no specific plan to carry out a sui-

cide, records show.

The same month, Gabriel's mother ended contact with county social workers, saying she did not need their help.

A new complaint was submitted by Gabriel's therapist on March 26 saying the boy reported once being forced to perform oral sex on an older relative, according to county records.

Gabriel later withdrew the allegation when interviewed by a social worker at his home. The investigation of the complaint remains open.

On May 22, firefighters were summoned when Gabriel stopped breathing. Two days later, he died. His siblings told investigators they heard "something" happen to Gabriel, but declined to elaborate, according to the county reports.

The county has been bat-

tling a backlog of child abuse investigations for years. The problem has been especially acute in the Antelope Valley, where Gabriel lived, because some of the department's least experienced social workers work there with the highest caseloads.

Only South Los Angeles and Compton receive lower levels of service, according to a 2010 report.

Although significant progress has been made in reducing the backlog, 3,450 children are currently subject to overdue investigations. County officials noted that 37 of California's 58 counties have a poorer record of meeting mandated investigation deadlines.

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Times researcher Kent Coloma contributed to this report.

Children's welfare demands that the incompetence stop

8-year-old's death underscores need for true accountability

SANDY BANKS

I'm tired of hearing "culture change" held out as a fix for idiosyncrasy.

That's the standard excuse when institutions fail: A dysfunctional culture is to blame when students don't learn or jail inmates are beaten.

And it's the explanation being offered up in the latest example of tragic incompetence by the Los Angeles County foster care system: the death of 8-year-old Gabriel Hernandez, who police say was tortured and killed by his mother and her boyfriend.

The child was on social workers' radar for months. Teachers and relatives had reported his bruises, black eye, busted lip. But not even a therapist's discovery of the third-grader's suicide note was enough to convince social workers that he might be in danger at home.

What kind of culture says it's OK to leave a frightened child in such a perilous situation?

That's the question I put to Philip Browning, who heads the Department of Children and Family Services and has been trumpeting "culture change" since he took the reins early last year.

Browning admitted that even he is stumped by how this tragedy unfolded.

"You can see where someone should have done something, and you can't imagine why they didn't," he said.

Four social workers have been taken out of the field while the county investigates. But the department has a terrible track record in holding employees accountable for mistakes and misdeeds. In 15 earlier deaths of children linked to social worker errors, only one employee was terminated — for falsifying records.

That part of the culture clearly does need changing. But it's only the tip of the iceberg in a department riddled with dysfunction.

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Social workers' union exec David Green said his phone hasn't stopped ringing since Gabriel's death made news two weeks ago. "I can't tell you how many calls I've gotten from crying social workers who submitted their letters of resignation because of what's going on," he said.



NOT EVEN a therapist's finding of Gabriel Hernandez's suicide note was enough to convince L.A. County's foster care system that he might be in danger at home.

They're heartbroken over the tragedy, but they're also worried about what comes next: "There's a climate of fear in this department," Green said. "People's first reaction is always 'fire the social workers.'"

So what's wrong with that?

Green told me social workers are victims, too, of a department strangled by knee-jerk edicts, conflicting rules and a paralyzing workload.

"It's really difficult to make good decisions when you have triple the cases [you should], 6,000 policies to follow and fear of doing the wrong thing," said Green, a social worker for 13 years.

But department chief Browning said the problem goes even deeper than that. Social workers feel hamstrung by a departmental obsession with keeping children with their families, given the shortage of good foster homes.

That policy was the product of a previous culture change, aimed at reducing foster care rolls and strengthening troubled families with resources like drug treatment, mental health care and parenting classes.

But Browning said it has "immobilized" social workers, who rely on mindless allegiance to the goal instead of "common sense and critical thinking" about what's best for children.

"Social workers have said they feel pressured to leave kids with families," Browning said. "But safety of the child should be the primary goal."

He plans to get that

'We used to take everybody who walked in the door.'

— PHILIP BROWNING, head of the Department of Children and Family Services, on the agency's previous hiring and training practices

message across by disciplining social workers who screw up in obvious and avoidable ways. And by giving them permission to rely less on the rule book and more on the question: "Would you leave your own child in this setting?"

"If you can walk away and feel your child would be safe, that's good. But if you have a sick feeling in your stomach, go back. Get more information. Talk to your supervisor. Ask yourself, what else can we do?"

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I had to stifle my anger over Gabriel's death even to listen to Browning. But I have to admit that I'm encouraged by his perspective.

I understand that social workers may consider it naive. "What you're taught in Social Work 101 is to have good boundaries," said Green, the union rep. Treating every child like your own can break your heart and complicate your job.

But it's a mind-set that ought to be fundamental, not just in caring for neglected children but in reforming a department that seems designed to court disaster.

The toughest decisions

are often left to the least experienced workers. Emergency responders juggle high caseloads, work long hours and deal with volatile families. And, until Browning arrived last year, they relied on virtually useless training and primitive technology.

"We used to take everybody who walked in the door," Browning said. Training was two months of lectures and nobody flunked. Once in the field, social workers were saddled with antiquated cellphones, "the size of a brick," that couldn't email or text. Van drivers ferrying children were relying on Thomas Guides.

Now, Browning said, only half of social work applicants make the cut. A new year-long training program gives them more experience in the field before they get caseloads. And iPhones have made paperwork more efficient so they have more time to tend to kids.

That's part of the cultural change he says will pay dividends in the future. But it doesn't make me feel any better about the death of Gabriel Hernandez.

Clearly what happened to that child is bigger than a few social workers who failed to do their jobs. But there's a wisdom to the public clamor that someone be singled out and flogged.

You reset a culture not through practical changes or philosophical edicts, but by what you punish and reward. What you overlook and what you allow speaks volumes to your troops.

I want to know who did what wrong, and I want heads to roll.

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City's lack of foster families prompts action

By Nick Green

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The county Department of Children and Family Services recently removed four children from a Torrance home, believing they were abused or neglected. But there was no foster parents in the entire city who could take them in.

As a result, the kids were shuffled off to a temporary shelter near USC and later shuttled back to Torrance, where social workers again tried to find somewhere to place them.

"It broke my heart," said Rosa Tang, assistant

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Sun 5-26-13

Foster *Daily Breeze*

FROM PAGE 1

regional administrator with the department's Torrance office. "The county is going through a crisis with regards to the placement of children.

"In the city of Torrance, there were 1,329 referrals in the past 12 months alleging abuse or neglect (and) 55 children ... were removed from their homes."

While 40 percent of those removed were sent to live with a relative, the other 60 percent were shipped out to foster homes in Wilmington, Fontana or other out-of-town locations. Because in an affluent, educated city of nearly 150,000 people like Torrance, where residents are proud of their school district, there are literally no foster homes to accommodate the children who need them, Tang said.

Most homes have closed; a few have licenses pending.

When no local facilities are available, a child who has already been victimized once is essentially victimized again, said Torrance Councilman Pat Furey, who for the past year has been stationed at the Torrance DCFS office providing legal advice to so-

FIND OUT MORE

Anyone interested in becoming a foster parent in Torrance should contact a local PTA or call the Los Angeles County hotline at 800-540-4000.

cial workers as part of his day job as a senior county legal counsel.

"It's hard enough for a child to be removed from their home," he said, never mind being essentially thrown out of the city they know. "They lose their friends. They lose their teacher. They lose their community."

"I don't think people are aware that there is this paucity of foster care homes," Furey added. "When I saw those numbers, it shocked me."

And prompted Furey to do something about it.

A member of the Torrance Education Foundation, Furey has challenged the Torrance Council of PTAs — slogan: "Every child, one voice" — to come up with at least one foster family at every school in the city, all 30 of them.

"It went with our whole mission and what we do," said council President Camilla Seferian. "It was something I had never thought about. People just don't realize there are children in our community who need this."

Becoming a foster parent involves an orientation session, application process, health exam and background check, Tang said.

Despite the lack of foster homes, the situation could be worse, she said.

Two decades ago, there were 35,000 children in foster care in the county; today, there are 18,000.

The decrease is due to a concerted effort to keep families together whenever possible. But when that fails, foster care becomes a necessity.

Furey hopes that in a city with 25,000 children, enough foster homes can be found that the community will be able to take care of its own, and that the program could become a model that's duplicated elsewhere.

"If we get 30 foster care homes this year, that will make our job a lot easier and be better for the children," he said.

"That's really doable, that's conservative — and we can do another 30 next year."

"If it can work in Torrance, it can work in every city."

Lacey considers prosecuting foster agency

Sat 6-8-13 LA Times

L.A. County district attorney weighs whether charges should be filed against Teens Happy Homes.

BY GARRETT THEROLF

Los Angeles County Dist. Atty. Jackie Lacey is considering whether criminal charges should be filed against officials at Teens Happy Homes, a foster care contractor with a long history of financial improprieties and substantiated instances of child abuse, according to spokeswoman Jane Robison.

The review by prosecutors in the department's Public Integrity Division follows a recent examination in The Times detailing allegations of financial misconduct involving evidence that employees may have used taxpayer money intended for abused children for their own personal gain.

"We've read the press reports and we've heard the allegations," said Max Huntsman, the unit's second highest-ranking prosecutor. "We're going to carefully examine what happened or didn't happen."

Huntsman said he did not know how long his office might review the matter before deciding whether to file charges.

Teens Happy Homes has

hired criminal defense attorney Anthony Willoughby, a former candidate for state Assembly who has previously represented defendants accused of official misconduct. Willoughby and Teens chief executive Beautina Robinson did not return calls seeking comment.

The contractor has received up to \$3.6 million annually from the Los Angeles County Board of Supervisors to recruit, supervise and pay foster parents to take in abused children. Between 2008 and 2011, 1,154 children lived in its homes.

Supervisors Gloria Molina and Michael D. Antonovich have pushed to sever ties with the contractor, but they have so far failed to win majority support on the five-member board. Another vote is scheduled for Tuesday.

The Times reported in April that a former high-ranking official at Teens, Askari Moyenda, said he and his wife were required to pay "bribes" to obtain jobs with the contractor.

In exchange for \$70,000 and the promise to follow with \$69,000 more, Moyenda and his wife were made the contractor's quality assurance officer and top program administrator, he said.

Robinson has previously told The Times that the money was a "donation."

Moyenda and his wife were later dismissed by Teens and filed a civil suit alleging breach of contract. In

a deposition, Robinson was asked if it was legal to also promise control of the non-profit charity in exchange for the money.

"Yeah," she replied.

Moyenda said that nearly \$10,000 of his "bribe" went to Robinson personally.

In the deposition, Robinson said "I don't recall" when asked if she received any of the money in her personal

account.

The lawsuit was recently dismissed after Moyenda failed to meet a filing deadline.

Separately, county auditors recently uncovered at least \$100,000 in suspect payments: Nearly \$30,000 went toward Robinson's personal expenses, including her car and credit card bills. An additional \$70,000 covered the

salaries of Robinson associates who did little or no work for the agency.

Meanwhile, 240 allegations of abuse or neglect were filed on behalf of youths at Teens homes over a recent three-year period, a Times analysis of child abuse hotline data found.

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Monday 4-29-13 L A Times

A possibly costly custody delay

Couple say county inaction could hurt chances of adopting granddaughter.

By MAURA DOLAN

Two families, both loving and stable, are vying to adopt a 4-year-old girl with strawberry blond hair and large blue eyes. One is certain to be brokenhearted.

The tug of war began in May 2011, when Los Angeles County child protection au-

thorities took the girl away from her drug-addicted mother and placed her in a foster home.

Five weeks later, her paternal grandparents found out and moved to get her back.

But the Los Angeles County Department of Children and Family Services sat on the couple's paperwork for nearly a year, according to a claim they have filed against the county. As the months dragged on and the child grew close to the foster parents, the grandparents' chances dimmed.

"The likelihood that we can get her is very slim because she has been away from us for so long and has bonded with the foster family," said Carol Vos, 45, who is married to the girl's grandfather, Daniel, 50. "But we still have hope. We are not giving up."

The Voses have three children ages 13, 11 and 9 and live in a tidy four-bedroom bungalow with a large yard in East Long Beach. Carol is a full-time homemaker and Daniel is a union ironworker. A small room with a bay window awaits their grand-

daughter. Her red wagon sits on the front porch.

But because of the county's alleged blunder, the girl may be adopted by her foster family. A juvenile dependency court must decide what is in her best interest, and the fact that she has lived with the other family for nearly two years will strongly weigh in their favor, lawyers involved in such cases said.

Donnie Cox, the lawyer who filed the claim (a precursor to a lawsuit), said the Voses almost certainly [See Custody, AA6]

No vote on foster agency

Sat 5-25-13 LA Times

Two supervisors want to cut ties with Teens Happy Homes.

By GARRETT THEROLF

Los Angeles County Supervisors Michael D. Antonovich and Gloria Molina this week were unable to win majority support for their push to sever all ties to a fos-

ter care contractor with a history of substantiated child abuse and financial malfeasance.

Under the supervisors' proposal, the county board had been scheduled to take a public vote Tuesday on the county's relationship with Teens Happy Homes, a contractor that has received up to \$3.6 million per year and cared for more than 1,100 foster children in recent years.

But Supervisor Mark

Ridley-Thomas moved the item to a closed-door session where the proposal died, at least temporarily. A spokeswoman for Ridley-Thomas declined to say why he removed the item from the public schedule.

In closed session, the item was referred back to the offices of its sponsors, who are free to bring it back at a subsequent meeting.

Molina was on vacation Tuesday and not due to return until May 30. Antonovich's spokesman said his office will be discussing the matter with Molina's aides.

Michael Nash, the presiding judge of L.A. County's Juvenile Court, and Leslie Starr Heimov, who leads the court-appointed law firm representing foster children, have called on the supervisors to sever the contract.

The calls were issued after an examination of Teens Happy Homes, published in The Times, revealed questionable spending, including tens of thousands of dollars that went to personal expenses of the chief executive, Beautina Robinson.

The newspaper also re-

[See Agency, AA4]

No vote on foster agency

Sat 5-25-13 LA Times

[Agency, from AA1] reported that Maurice Mitchell, then president of the Teens Happy Homes board, retained his position while in jail before being convicted in a real estate scheme that involved identity theft, forged documents and more than \$260,000 in stolen money.

Over a three-year period, 240 allegations of abuse or neglect were filed on behalf of youths at Teens homes, a Times analysis of child abuse hot line data found. Teens' rate of nearly two allegations for each home was more than two times the average for the state and two-thirds higher than that of the rest of L.A. County.

About half of Teens' 131 facilities had no complaints during the period covered by the data, from October 2008 through September 2011. But four of them had 10 or more complaints, landing them among the top 40 in the county. Investigators substantiated about 17% of all complaints from the Teens homes, about the same as the state average.

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HOUSING FOR
SPECIAL NEEDS KIDS

L.A. County auditors investigating group home

By Christina Villacorte
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Los Angeles County fiscal investigators are re-examining the finances of a Compton group home for vulnerable children whose owner admitted to misusing hundreds of thousands in public funds and failing to pay taxes years ago but continues working under a county contract.

The office of county Auditor-Controller Wendy Watanabe is

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Daily News

Audit

FROM PAGE 3

expected to release an audit this week on Little People's World, which contracts with the Department of Children and Family Services to care for kids with severe mental and behavioral problems at two group homes in Compton.

The facilities are operated by the husband-wife team of CSJ and Hitaji Kidogo. County officials have previously found that the homes themselves are well-run and provide a safe environment for children. But they have also found that Little People's World improperly gave or "loaned" CSJ Kidogo \$280,000 in funds to be used for public purposes, which he apparently then used to invest in property outside of Los Angeles County. Little People's World had also failed to pay \$320,000 in payroll taxes, according to a December 2011 audit.

About \$185,000 of the \$280,000 is owed to the Los Angeles County Department of Children and Family Services, which has been contracting with Little People's World for years to care for kids with severe mental and behavioral problems.

At the time, the county decided to keep the Kidogos on contract without prosecution and strike a deal for them to repay the funds.

DCFS Director Philip Browning, however, has requested a new audit amid concerns that executive director CSJ Kidogo might be paying his debts by giving himself a

\$6,000-a-month raise, and by leasing out the real estate he had bought with money from child welfare agencies.

"I know that's being looked at by the auditor-controller," he said.

CSJ, 72, and Hitaji, 62, admitted making mistakes in the past but stressed they were merely trying to expand their services, and were never out to enrich themselves.

"We have learned to stay in compliance," CSJ Kidogo said in a recent telephone interview.

Watanabe said in the earlier audit that Kidogo initially claimed the nonsalary payments were a "loan" intended for upgrades and expansion.

When auditors couldn't find proof the transactions had been approved by the group home's Board of Directors, Watanabe said Kidogo acknowledged using the money to buy "nongroup home related" real estate in Riverside County, Oakland and Oklahoma.

Auditors estimated that the portion of the funds that didn't come from L.A. County instead came from Riverside County, where Little People's World operates a group home in Banning and another in Cherry Valley.

In 2009, Kidogo signed a deal with the county treasurer and tax collector, promising to take \$3,000 out of his salary each month to reimburse the DCFS.

To date, he has paid back \$93,149.67, according to the Assistant Treasurer and Tax Collector Kathy Gloster.

Kidogo also committed in 2009 to taking an additional

\$4,000 out of his salary each month for back payroll taxes owed to the Internal Revenue Service.

Interviewed last week, Kidogo denied giving himself a \$6,000-a-month raise to cover any of those payments.

"I haven't had a raise since maybe 2003," he said, adding he has dipped into his retirement fund.

Interviewed on Tuesday, however, his wife, said they each received raises in 2008. She would not say how much, only that "it was within the guidelines."

Hitaji, whose title is assistant executive director, also said they were "not being malicious or trying to take advantage" when they bought real estate with money from the DCFS and other child welfare agencies and put it in their names.

"We just didn't know we couldn't do that," she said. "It was certainly not to enrich ourselves."

"We have tax difficulties but we kept people working when we should have laid people off, and we didn't take raises ourselves," she added.

Hitaji Kidogo said they initially wanted to buy the properties in the name of Little People's World, but ended up putting it in the name of CSJ Kidogo instead because they were the guarantors of the loan.

When asked why the couple hung onto the three properties after the county demanded payback, she explained they were bought during the housing bubble and eventually went underwater.

"We couldn't sell without taking a loss," she said.

latimes.com

Letters: A little more light on jails

May 9, 2013

[Re "An insider bashes Baca," Editorial, May 2](#)

We strongly agree with The Times that recent news about Los Angeles County Sheriff Lee Baca's mismanagement of the jails should push the Board of Supervisors to hire an independent inspector general to oversee the Sheriff's Department. The Citizens' Commission on Jail Violence recommended that the supervisors "create a committee consisting of representatives of the board, the department and the public to oversee the hiring process and recommend a candidate for the job."

Unfortunately, the supervisors have instead hired a firm that is running a confidential search, screening candidates solely through the county chief executive, with no public outreach.

For too long our jails have been run without community input. Only when the ACLU, the media and the jails commission began shining a spotlight on the jails did things improve. Letting the public play a role in selecting the inspector general would be another step in the right direction.

Cecil L. Murray

Los Angeles

Hector Villagra

San Gabriel

Murray is the vice chairman of the Citizens' Commission on Jail Violence. Villagra is executive director of the ACLU of Southern California.

Undersheriff Paul Tanaka is quick to criticize Baca. But while the sheriff was away on his numerous trips, as Tanaka complained, wasn't the undersheriff in charge of the department?

Voters should read both men's testimony before the jails commission to understand that neither should have their vote when Baca stands for reelection in 2014. Tanaka is just as responsible for, as he called it, this "house of cards."

Denise J. Ryan

Valencia

Suit alleges inmate was hidden

L.A. County deputies say an inmate working as a U.S. informant was moved to another jail under an alias.

BY ROBERT FATURECHI

Two Los Angeles County sheriff's deputies say the department hid an inmate working as a federal informant from the FBI, according to a lawsuit they filed this week.

The allegations are the latest development in the ongoing question of whether top sheriff's officials obstructed an FBI investigation after learning that an inmate at Men's Central Jail was secretly collecting information on allegedly abusive and corrupt deputies.

In the summer of 2011, sheriff's deputies discovered the inmate's cellphone with a history of calls to the FBI. In an unusual move, sheriff's officials responded by transferring the inmate, a convicted bank robber, to a different jail under aliases, including Robin Banks.

Department officials assigned at least 13 deputies to watch the inmate around the clock, according to documents reviewed by The Times, and dubbed it "Operation Pandora's Box."

A federal criminal grand jury has been probing whether sheriff's officials were hiding the inmate and the phone from the FBI, or whether they were simply protecting the inmate from retaliation by jail deputies he was "snitching" on, as a sheriff's spokesman has said.

In the lawsuit, the two deputies, both from the jail's intelligence unit, allege that after the inmate's status as an informant was discovered, they were told by their boss to do things that would "keep the FBI out of the jails." They allege that officials also considered doing surveillance of interview rooms when the FBI or informants were present.

The lawsuit is the first public claim by sheriff's employees that the intent was to hide the inmate, Anthony Brown.

The lawsuit was filed by Deputies James Sexton and Michael Rathbun. Sexton is the son of Sheriff Lee Baca's newly hired homeland security chief.

The Times has previously reported that the two deputies collided with their boss after they reported allegations that another deputy was working as an operative for drug-smuggling skinhead gang members. After writing a memo about the tip, their boss shared the contents of the memo with the accused deputy rather than forwarding it along to internal criminal investigators, who could have conducted a sting operation.

Both men allege they were retaliated against for reporting misconduct to the FBI and others. Sexton says he has been the victim of threats and intimidation.

Rathbun, who is on paid administrative leave, alleges that officials are seeking to fire him over a drunk driving offense.

According to the suit, other deputies who committed such misconduct were punished less severely. A video of that incident reviewed by The Times shows the deputy was belligerent as he was questioned by colleagues afterward.

Sexton remains on active duty.

Sheriff's spokesman Steve Whitmore said department officials have cooperated fully with the federal investigation of the county's jails and said the two deputies were not retaliated against.

"The sheriff has made it clear throughout the department that there won't be any retaliation whatsoever," Whitmore said.

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